

DEPARTMENT OF FINANCE BILL ANALYSIS

AMENDMENT DATE: April 2, 2009
POSITION: Neutral

BILL NUMBER: SB 159
AUTHOR: J. Simitian
RELATED BILLS: SB 240

BILL SUMMARY: Vehicles: Emergency Vehicles

This bill would repeal the sunset date for the "move over" law, which requires freeway motorists to make a lane change away from a lane adjacent to stationary emergency vehicles with flashing emergency lights or stationary tow trucks with flashing amber lights. The bill would also repeal the sunset date for the law requiring tow trucks to be equipped with flashing amber lights and authorizing tow trucks to use flashing amber lights when responding to freeway accidents with unusual or extreme traffic hazards.

FISCAL SUMMARY

This bill would not have a fiscal impact on the state.

COMMENTS

The Department of Finance is neutral on this bill because it repeals the sunset date for the "move over" law. According to the California Highway Patrol (CHP), this law has helped to reduce the number of injuries and fatalities for emergency vehicle accident responders. CHP's report is based one year data comparing the year prior to enactment to the first year the law took effect.

According to the National Conference of State Legislatures, 43 states have a variation of the move over law, with 29 of these states applying the law only to emergency vehicles, whereas the other 14 states, including California, extend the move over law to tow trucks as well. The prevalence of move over laws across the nation appears to be a response to an increase in the number of injuries and fatalities of emergency vehicle accident responders. Some states, including Massachusetts which publishes information in state driver's manuals and uses freeway signage, have extensive public outreach campaigns to make the public aware of the existence and importance of move over laws.

Related Legislation

SB 240 (Wright, 2009) would also repeal the sunset date for the move over law but it would also add Caltrans vehicles under the provisions of the move over law, under specified conditions. This bill is currently in Senate Appropriations.

Code/Department Agency or Revenue Type	SO	(Fiscal Impact by Fiscal Year)								Fund Code
	LA	(Dollars in Thousands)								
	CO	PROP								
	RV	98	FC	2008-2009	FC	2009-2010	FC	2010-2011		
2720/CHP	SO	No	----- No/Minor Fiscal Impact -----						0044	
<u>Fund Code</u>	<u>Title</u>									
0044	Motor Vehicle Account, STF									

Analyst/Principal (0741) E. Harper	Date	Program Budget Manager Mark Hill	Date
---------------------------------------	------	-------------------------------------	------

Department Deputy Director	Date
----------------------------	------

Governor's Office:	By:	Date:	Position Approved _____
			Position Disapproved _____

BILL ANALYSIS	Form DF-43 (Rev 03/95 Buff)
----------------------	-----------------------------